

**ETHICS COMMISSION  
CITY AND COUNTY OF HONOLULU**



**Advisory Opinion No. 10**

A City employee, X, requests an opinion of the Ethics Commission in connection with the following facts:

X is an Architect I assigned to Y Division. X intends to engage in outside activity as a self-employed draftsman on weekends for approximately eight hours.

The question presented is whether any violation of the Code of Conduct set forth in Section 11-101 of the City Charter will occur if X engages in the proposed activity. The outside employment is of such nature that he may be hired to draft architectural plans for public buildings which are to be constructed, in whole or in part, by private contractors. Thus, it is possible that he may find himself in the awkward and undesirable position of reviewing plans which he may have helped to draft in his private capacity.

This Commission believes that such possibilities should be eliminated wherever possible, and further believes that the proposed outside employment of this employee will be inconsistent and incompatible with the proper discharge of his official duties. Therefore, we recommend that this employee not engage in the proposed outside activity.

Please inform employee X that if he believes that said finding was based on erroneous findings of any material fact, or is otherwise erroneous, he may file with this Commission for a hearing on this matter no later than May 19, 1969. If we do not hear from him by that date, he will be deemed to have waived a hearing.

Dated: Honolulu, Hawaii, May 7, 1969.

ETHICS COMMISSION  
Harold H. Ohama, Chairman